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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/978,123
Applicant(s)	:	Angel JANEVSKI
Filed	:	15 October 2001
TC/A.U.	:	2618
Examiner	:	Mishawn N. DUNN
Atty. Docket	:	US010517

Title: IMAGE EXTRACTION FROM VIDEO CONTENT

REPLY BRIEF

U.S. Patent and Trademark Office
220 20th Street S.
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Sir:

In response to the Examiner's Answer dated 22 March 2007, and in support of the Notice of Appeal filed on 6 October 2006, Applicant hereby respectfully submits this Reply Brief.

At the outset, Applicant respectfully reiterates and reasserts the arguments presented in the earlier-filed Appeal Brief, and respectfully submits again that 1-22 are all patentable over the cited prior art.

Furthermore, in the Remarks below Applicant addresses various new arguments raised by the Examiner in the Examiner's Answer at pages 5-8.

RESPONSE TO ARGUMENTS IN EXAMINER'S ANSWER

Claim 1

In the Examiner's Answer, the Examiner states that:

"*Tajima also discloses comparing a demodulated field that has been*

normalized (configured to be a certain size for comparison purposes) to a normalized image outputted form a database, the outputted image being the template (col. 5, lines 52-66)."

Reproduced below is the text from Tajima at col. 5, lines 52-66:

> The face detecting means **2** detects the size and position of a face of a person from the inputted video signal **1**. The face normalizing means **3** normalizes the face of the person in the video signal **1** by using the detected result at the face detecting means **2**, for example, by making the distance between pupils of both eyes a predetermined value, and outputs a normalized face image **26** to the face identifying means **6**. The person designating means **4** designates a specified desiring person from a face image database **6** on a display (not shown). Next, a face image of the specified person being an inquired person is normalized and a normalized face image **51** is inputted to the face identifying means **6**. The face identifying means **6** compares the inputted normalized face image **26** with the inquiring normalized face image **51** outputted from the face image database **5**, and detects whether the both normalized face images are con-

Applicant respectfully submits that it is self-apparent that the cited text makes absolutely no mention whatsoever of any video field.

So it is simply not possible for the cited text in Tajima to disclose "*comparing a demodulated field from the received broadcast programming to a template defining characteristics of video content desired to be recorded*" as recited in claim 1.

The Examiner goes on to state that:

"*A threshold of similarity between the field and the template is then determined and the demodulated field is recorded based on the degree of similarity (col. 6, lines 1-14).*"

Reproduced below is the text from Tajima at col. 6, lines 1-14:

> formed or not, or detects the degree of similarity as a value, such as, the similarity of the both normalized face images is much higher than a designated value, and the similarity is approximate in a degree that the difference is not recognized, and outputs a conformity signal **62** based on detected result at the face identifying means **6** being the degree of similarity of the two normalized face images **26** and **51**. The controlling means **7** outputs a video recording control signal **71** that instructs the video signal recording means **9** to record/stop recording a video signal outputted from the video signal delay means **8**, based on instructions decided beforehand that instructs to record or stop recording corresponding to the conformity signal **62** that signifies the degree of similarity. The video signal recording means **9** records or stop recording the video signal outputted from the video signal

Again, Applicant respectfully submits that it is self-apparent that the cited text makes absolutely no mention whatsoever of any video field.

So it is simply not possible for the cited text in Tajima to disclose "*comparing a demodulated field from the received broadcast programming to a template defining characteristics of video content desired to be recorded*" as recited in claim 1.

Furthermore, the Examiner argues that the normalized face image in Tajima is a normalized demodulated frame and a frame consists of two fields, thus the normalized face image is made up of two demodulated fields.

First, even if the Examiner's premise was true, the conclusion is not. Even assuming the normalized face image in Tajima is a normalized demodulated frame, then that means it is made up of: two ***normalized*** demodulated fields. Thus, at best, the Examiner is arguing that Tajima compares two ***normalized*** demodulated fields to a template. Clearly, this is not what is recited in claim 1, and is clearly this is a system employing a more cumbersome process than that recited in claim 1, and therefore clearly Tajima's system cannot provide the

benefits of the system of claim 1.

Second, Applicant respectfully submits that the premise postulated by the Examiner is not correct. A normalized face image is ***not*** a normalized demodulated frame. It is a portion extracted from a normalized demodulated frame. Again, this extraction of the face from the frame requires a more cumbersome process than that recited in claim 1, and therefore clearly Tajima's system cannot provide the benefits of the system of claim 1.

Accordingly, for at least these reasons, and the reasons provided in the previously submitted Appeal Brief, Applicant respectfully submits that claim 1 is patentable over Tajima.

Claim 5

In the system of claim 5, the image processor compares demodulated fields for a selected channel to the template during a predefined period. For illustration by example only, and not by way of limitation, the specification describes a case wherein "*close-caption information may further narrow the portion of broadcast content which is compared to the corresponding template to a predetermined period following detection of keywords within the close-caption text*" (page 12, lines 15-23).

The Examiner's answer cites col. 9, line 65 – col. 10, line 43 of Tajima as supposedly disclosing this feature.

Applicant respectfully disagrees.

The cited text in Tajima merely describes predefined periods wherein the demodulated fields are to be ***recorded*** after the result of the comparison indicated a match. The text does not disclose any predefined periods wherein an image processor actually ***compares*** demodulated fields for a selected channel to the template. Indeed, it appears that Tajima's comparison is continuously performed.

Accordingly, for at least these additional reasons, and the reasons provided in the previously submitted Appeal Brief, Applicant respectfully submits that claim 5 is patentable over Tajima.

Claim 8

Among other things, the receiver of claim 8 includes an image processor

that compares a demodulated field to a template and saves the field in response to determining at least a threshold level of similarity between the field and the template.

As explained above with respect to claim 1, Tajima does not compare any demodulated field to a template; and also does not determine any threshold level of similarity between a demodulated field and a template.

Accordingly, for at least these reasons Applicant respectfully submits that claim 8 is patentable over Tajima.

Claim 15

Among other things, the method of claim 15 includes comparing a field from broadcast programming to a template, and saving the field in response to determining at least a threshold level of similarity between the field and the template.

As explained above with respect to claim 1, Tajima does not compare any demodulated field to a template; and also does not determine any threshold level of similarity between a demodulated field and a template.

Accordingly, for at least these reasons Applicant respectfully submits that claim 15 is patentable over Tajima.

Claim 22

In the Examiner's Answer, the Examiner states that:

> "*Tajima teaches **a video signal** (datastream) outputted from TV tuner (broadcast programming) col. 5, lines 39-40) **and at least one template** suitable to be used by a receiver . . . (col. 5, line 52 – col. 6, line 24)*"

(emphasis added).

Even if that this is true, that is not what is recited in claim 22!

Claim 22 does not recite a datastream ***and*** at least one template. Claim 22 recites a datastream that ***includes*** at least one template suitable to be used by a

receiver to select a portion of the broadcast programming stream for recording based on similarity of a field of the broadcast programming stream and the template. For example, page 11, lines 1-8 of the present specification describes how image templates 106 may be transmitted to video receiver 100 via an input connection at which video information is received.

In the previously-filed Appeal Brief, Applicant already reproduced the cited text at col. 5, line 52 clearly showing that it does not disclose or suggest any datastream that includes: both: (1) a broadcast programming stream including selected broadcast programming; and (2) at least one template suitable to be used by a receiver to select a portion of the broadcast programming stream for recording based on similarity of a field of the broadcast programming stream and the template.

Accordingly, for at least these reasons, and the reasons provided in the previously submitted Appeal Brief, Applicant respectfully submits that claim 22 is patentable over Tajima.

CONCLUSION

For all of the foregoing reasons, Applicant respectfully submits that claims 1-22 are all patentable over the cited prior art. Therefore, Applicant respectfully requests that claims 1-22 be allowed and the application be passed to issue.

Respectfully submitted,

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